

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PATRICIA BONELLI,
Plaintiff,

v.

U.S. BANK NATIONAL ASSOCIATION,
et al.,

Defendants.

Case No. [14-cv-02352-MEJ](#)

ORDER DISCHARGING SECOND OSC

**ORDER SETTING SERVICE
DEADLINE**

On November 14, 2014, the Court ordered Plaintiff Patricia Bonelli to show cause why this case should not be dismissed for failure to serve within the time required by Federal Rule of Civil Procedure 4. Dkt. No. 13. Having received Plaintiff's response and First Amended Complaint, the Court discharged the Order to Show Cause and ordered her to complete service by January 13, 2015. Dkt. No. 16. As there was still no indication that Plaintiff had completed service, the Court issued a second order to show cause on January 20, 2015. Dkt. No. 17. The Court has now received Plaintiff's response, in which she states that Defendants were served on January 14. Dkt. No. 18.

Having reviewed Plaintiff's response, the second order to show cause is DISCHARGED. However, based on the certificate of service Plaintiff submitted, it does not appear that she has complied with Federal Rule of Civil Procedure 4. For example, although there are five named Defendants in the First Amended Complaint, only three are listed on the certificate of service – two with the same mailing address and one with no mailing address. It also states that Rich Waters personally served Defendants, but then stated that he completed service when he “electronically filed the document(s) with the Clerk of the court by using the CM/ECF system.” Thus, it is not clear that Defendants have been served in compliance with Rule 4. Accordingly, the Court ORDERS Plaintiff to complete service in compliance with Federal Rule of Civil

1 Procedure 4 by March 5, 2015, and file proof of service by March 6, 2015.

2 To ensure compliance with the requirements of service, Plaintiff may wish to seek
3 assistance from the Legal Help Center, a free service of the Volunteer Legal Services Program, by
4 calling 415-782-8982, or by signing up for an appointment on the 15th Floor of the Federal
5 Courthouse in San Francisco, 450 Golden Gate Avenue, San Francisco, California. At the Legal
6 Help Center, you will be able to speak with an attorney who may be able to provide basic legal
7 help but not representation. More information is available at
8 <http://cand.uscourts.gov/helpcentersf>.

9 The Court also recommends that Plaintiff obtain a copy of the Court's *Handbook for*
10 *Litigants Without a Lawyer*, which is available free of charge in the Clerk's Office, or online at
11 <http://cand.uscourts.gov/prosehandbk>. This handbook provides an explanation of the requirements
12 for service.

13 **IT IS SO ORDERED.**

14
15 Dated: February 2, 2015

16 
17 _____
18 MARIA-ELENA JAMES
19 United States Magistrate Judge
20
21
22
23
24
25
26
27
28